



Control Number: 49276



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 49276

**COMPLAINT OF JERRY GRIBBLE
AGAINST DOUBLE DIAMOND
UTILITIES CO.**

§
§
§

**PUBLIC UTILITY COMMISSION

OF TEXAS**

DOUBLE DIAMOND UTILITIES CO. RESPONSE TO ORDER NO. 1

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Double Diamond Utilities Co. and files this its Response to Order No. 1 and, in support thereof, would respectfully show as follows:

**I.
BACKGROUND**

On December 19, 2018, Jerry Gribble (“Complainant”) filed an informal on-line complaint against Double Diamond Utilities Co. (“DDU”) regarding service disconnection for non-payment of his invoice due November 30, 2018. Upon investigation, the Commission’s Customer Protection Division (“CPD”) issued a letter to Complainant dated December 31, 2018, concluding that DDU had acted in compliance with the Commission Rules. On January 10, 2019, DDU received an email from Kenneth Wilson with the CPD regarding the address for the local office. DDU responded on January 11, 2019. On February 28, 2019, Complainant filed a formal complaint against DDU regarding the December disconnection of service by DDU. Commission Administrative Law Judge Oakley issued Order No. 1 on March 4, 2019. Order No. 1 requires DDU to file a response no later than March 25, 2019, per 16 TAC§ 22.78. This response is timely filed.

**II.
RESPONSE**

Order No. 1 requires that DDU’s response address the following:

- the Commission’s jurisdiction over this proceeding;
- allegations raised in the complaint;
- applicable statutes, rules, orders, and tariff provisions;
- copies of any rates or tariffs that are the subject of this complaint; and
- any other matters relevant to the complaint.

RECEIVED
MARCH 25 PM 2:10
PUBLIC UTILITY COMMISSION
FILING CLERK

3

A. Commission Jurisdiction

The Commission has jurisdiction over the complaint filed by the Complainant under §22.242 of the Commission's procedural rules only as it relates to the matters addressed in his informal complaint, which related solely to disconnection of service for an untimely payment of his invoice.

The Commission does not have jurisdiction under the formal complaint process for his new complaint regarding the location of a DDU office within 20 miles of the utility. That particular issue was not raised as part of his informal complaint, as required by §22.242(c). The Commission's procedural rule requires that "[a] person must present a complaint to the commission for informal resolution before presenting the complaint to the commission." See Commission Proc. Rule 22.242(c). As noted below, DDU complies with the local office requirement, but the Complainant has not satisfied the prerequisite for bringing a complaint about the local office because this issue was not raised in his informal complaint.

B. Allegations Raised in the Complaint

As noted above, the Complainant filed an informal complaint with the CPD about disconnection of service on December 19, 2018. After investigation, the CPD concluded that DDU had complied with the Commission's rules and DDU's tariff, and notified Complainant of its decision on December 31, 2018. Apparently, the CPD's findings did not satisfy the Complainant, so he filed a formal complaint with the Commission regarding the service disconnection and added a complaint stating that DDU does not have a payment location within 20 miles of the service area.

With regard to the Complainant's allegations regarding improper disconnection of service, DDU has attached the records related to the resolution of the informal complaint, which fully addressed this issue. *See Attachment 1.*¹ As demonstrated in the documents provide by DDU and noted in the response from the CPD, DDU complied with the requirements related to disconnection of Complainant's service for non-payment.

¹ **Attachment 1** is Complainant's December 19, 2018 On-Line Complaint Form, and DDU's December 20, 2018 response to the informal complaint and DDU's supporting documents, including the Utility History, a copy of Mr. Gribble's check, system notes detailing meter installation and disconnection, copy of disconnect notice, copy of disconnect report, copy of work orders to disconnect and reconnect service, and email narrative from DDU's Utility Billing Administrator.

With regard to the Complainant's allegations about the office location for payment of invoices. DDU has attached pictures of the office address and drop box at the office located within the community served by DDU and within 2.3 miles of the service address of the Complainant. *See Attachment 2.* DDU notified the CPD of this office address the distance from Complainant's address by email dated January 11, 2019. *See Attachment 3.* DDU has also attached an email statement from the DDU utility manager stating the Complainant has been at the location of the office twice since utility office relocation. *See Attachment 4.* DDU has complied with the requirements related to its office location.

C. Applicable Statutes, Rules, Orders, and Tariff Provisions

Service disconnection for water and sewer utilities is governed by §13.250 of the Texas Water Code and §24.167 of the Commission's Substantive Rules. In addition, §2.12 of DDU's approved tariff addresses disconnection service.

Office location requirements are found in §13.137 of the Texas Water Code and §24.153(d) of the Commission's Substantive Rules.

D. Copies of any Rates or Tariffs that are the Subject of this Complaint

A copy of the current DDU approved tariff has been provided as **Attachment 5.**

E. Any Other Matters Relevant to the Complaint

DDU raises no other matters relevant to the complaint at this time, but DDU reserves the right to present additional information in response to filings by Commission Staff or the Complainant.

**III.
CONCLUSION**

WHEREFORE, PREMISES CONSIDERED, Double Diamond Utilities Co. respectfully requests the Administrative Law Judge find the complaints of Jerry Gribble to be without merit and this proceeding be dismissed, and for such other and further relief to which it may show itself entitled.

Respectfully submitted,

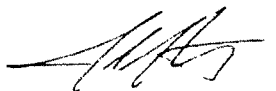
By: 

John J. Carlton
The Carlton Law Firm P.L.L.C.
4301 Westbank Drive, Suite B-130
Austin, Texas 78746
(512) 614-0901
Fax (512) 900-2855
State Bar No. 03817600

ATTORNEY FOR DOUBLE DIAMOND
UTILITIES CO.

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 25th day of March, 2019.



John Carlton

**CUSTOMER PROTECTION DIVISION
ON-LINE COMPLAINT FORM**

Complaint

Emergency

Wednesday, December 19, 2018

Investigator: **Wilson, Kenneth**
Date Pending: 1/9/2019
Complaint No: **CP2018120657**
Company: **DOUBLE DIAMOND UTILITIES COMPANY INC**
Complaint: **Discontinuance**
Service No:

Customer:
Last Name: **Gribble**
First Name: **Jerry**
Business:
Date Closed:
Date Received: **12/19/2018**
Account No: **91066**
Spanish: No

Service Address:
10066 Lakeview Ct

Mail Address:
10066 Lakeview Ct

Whitney TX 76692-5653

Whitney TX 76692-5653

Alt Last:

Day: **(254) 694-2355**

Alt First:

Alt:

Email:

Complaint Note:

CCN 12087 - Mr. Gribble states that he has a bill in the amount of \$83.88 due on December 30th. He says he called the company to find out why the service was disconnected he was told due to non-payment. He says the bill is not due until December 30th. He says he mailed the check on December 15th. He was told that there is a late fee in the amount of \$7.27 and reconnect fee of \$57. He says the bill says due on the 30th. He says he never received a disconnection notice.

Entered: **12/19/2018 4:00:00 PM**

Entered By: **Cardona, Hermelinda**



DOUBLE DIAMOND UTILITIES COMPANY

5495 Belt Line Road
Suite 200
Dallas, Texas 75254

local 214 706 9801
toll 800 324 7438
fax 214 706 9878
web www.ddresorts.com

December 20, 2018

RE: Gribble 910..66 -10066 Lakeview Ct

Mr. Gribble is confused on what the service disconnect was for. It was for the October billing which was billed in November and due by November 30th. He is correct the November bill which is billed in December isn't due until December 30th.

Here is more detail for a clear explanation.

Per our utility history screen shots:

Line 401-is the October water bill \$31.01

Line 402-is the October sewer bill \$41.00

Line 403-is the October 1% Regulatory TCEQ Fee .72

Which totals the October Bill of \$72.73 which is due November 30th.

Line 404-Late fee access of 10% of the amount number paid by the due of November 30th \$7.27. Late Fee was access on 12-1-18 and a disconnect notice was sent out on 12-5-18 with a due date of the full payment on 12/17/18. Copy of notice is provided.

Line 405-is the November water bill \$34.43

Line 406-is the November sewer bill \$41.00

Line 407-is the November 1% Regulatory TCEQ fee .75

Line 408-is the pass thru charge of water usage for Prairieland Ground Water Conservation District (PGCD) .20/1000 gallons water production fee.

Which totals the November Bill of \$76.61 which is due December 30th. This bill was sent out December 10th.

Note Mr. Gribble was not charged the PGCD charge in October as he showed no usage as his meter was not working. A new meter was installed 11/14/18.

Line 409-Payment was received for water on 12-10-18 -\$31.01

Line 410-Payment was received for sewer on 12-10/18-\$41.00

Line 411-Payment was received for 1% Regulatory TCEQ Fee .72

See copy of Mr. Gribble check proved. The date on the check is dated 11-24-18 but the date stamp from the lock box bank is 12/10/18. October bill was due November 30th.

Balance as of 12-18-18 was the late fee of \$7.27. Mr. Gribble was disconnected and locked for water and sewer due to non-payment.

Line 412-Reconnect Fee for water was assessed \$25.00

Line 413-Reconnect Fee for sewer was assessed \$25.00

To have the service reconnected Mr. Gribble needed to pay the late fee and the reconnect fees. \$57.27.

Mr. Gribble states he did not get the disconnect notice, the notice was sent to the same address on file as the October and November bill were sent and which he wrote checks for both of those bills.

Please do not hesitate to contact me regarding this complaint if you need more information.

Christie Rotramel
Assistant to the President of DDU
214-706-7857

Along with this letter I have provided the following reference material.

- Utility History
- Copy of Mr. Gribble check for the October Bill
- Notes from our system showing when a new meter was installed and when the disconnect letter was sent out and when the balance was due.
- Copy of the Disconnect Notice
- Copy of the Disconnect Report
- Copy of the work orders to disconnect and reconnect Mr. Gribble's service
- And an Email narrative from Pat Gibson, the Utility Billing administrator, who spoke with Mr. Gribble yesterday at 318pm and a copy of the complaint with the PUC at 4pm.

04:17PM UTILITY HISTORY 12-19-18

ENTER PROPERTY # 910..66 DEVELOPMENT : WHITE BLUFF TEN
 INQUIRE TYPE : wsh PRESENT OWNER : JERRY GRIBBLE

LN #	PERIOD	TRANS DT	DUE DT	TRANS AMT	CODE	TYPE	SUB	BALANCE
396)	18-09	09-30-18	10-30-18	41.00	WATER	SEWER	S	72.01
397)	18-09	09-30-18	10-30-18	0.72	WATER	SALES TAX	H	72.73
398)	18-09	10-18-18	09-01-18	-31.01	WATER	PAYMT	W	41.72
399)	18-09	10-18-18	09-01-18	-41.00	WATER	PAYMT	S	0.72
400)	18-09	10-18-18	09-01-18	-0.72	WATER	PAYMT	H	0.00
401)	18-10	10-30-18	11-30-18	31.01	WATER	WATER	W	31.01
402)	18-10	10-30-18	11-30-18	41.00	WATER	SEWER	S	72.01
403)	18-10	10-30-18	11-30-18	0.72	WATER	SALES TAX	H	72.73
404)	18-10	11-30-18	10-30-18	7.27	WATER	LATE	L	80.00
405)	18-11	11-30-18	12-30-18	34.43	WATER	WATER	W	114.43
406)	18-11	11-30-18	12-30-18	41.00	WATER	SEWER	S	155.43
407)	18-11	11-30-18	12-30-18	0.75	WATER	SALES TAX	H	156.18
408)	18-11	11-30-18	12-30-18	0.43	WATER	PGCD	D	156.61
409)	18-10	12-10-18	10-01-18	-31.01	WATER	PAYMT	W	125.60
410)	18-10	12-10-18	10-01-18	-41.00	WATER	PAYMT	S	84.60

F(W)RD, (B)KWRD, E(X)IT, (P)RINT/DOWNLOAD OR (CR) FOR NEXT :

04:17PM UTILITY HISTORY 12-19-18

ENTER PROPERTY # 910..66
 INQUIRE TYPE : wsh

DEVELOPMENT : WHITE BLUFF TEN
 PRESENT OWNER : JERRY GRIBBLE

LN #	PERIOD	TRANS DT	DUE DT	TRANS AMT	CODE	TYPE	SUB	BALANCE
411)	18-10	12-10-18	10-01-18	-0.72	WATER	PAYMT	H	83.88
412)	18-12	12-17-18	12-18-18	25.00	WATER	RECONN	S	108.88
413)	18-12	12-17-18	12-18-18	25.00	WATER	RECONN	W	133.88
414)	18-10	12-18-18	10-01-18	-7.27	WATER	PAYMT	L	126.61
415)	18-11	12-18-18	11-01-18	-34.43	WATER	PAYMT	W	92.18
416)	18-11	12-18-18	11-01-18	-15.57	WATER	PAYMT	S	76.61

*Balance
 10
 NOV
 Bill
 DUE
 12-30-18*

F(W)RD, (B)KWRD, E(X)IT, (P)RINT/DOWNLOAD OR (CR) FOR NEXT :

JERRY OR CARLENE GRIBBLE

5331

06-1016/1118
04

Date 11-24-18

CHECK NUMBER

Pay to the Order of Double Diamond Utilities \$ 172⁷³

Seventy Two + 73/100 Dollars

FSSB
FIRST SECURITY STATE BANK
Canton - Crossville Gap - Markles - Whitney
P.O. Box 87 Crossville Gap, Tenn 37637 • (254) 807-2206

ADVANTAGE CHECKING

Jerry Gribble

For _____

ENDORSE HERE

CHECK HERE IF MOBILE DEPOSIT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

* 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 *

Security Features of this check include:

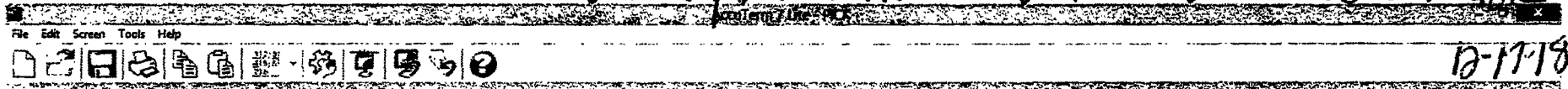
- The words "Security State Bank" are printed in the top left corner of the front and back of the check.
- Microprint: Microprint around the perimeter of the front and back of the check.
- The Security State Bank logo is printed on the front and back of the check.
- The words "Security State Bank" are printed on the back of the check.
- Photo Data Barcode: Non-visible on the front and back of the check.

Do not cash if:

- Any of the features listed above are missing or appear altered.
- The words "Security State Bank" are printed on the back of the check.
- Brown stains and colored spots appear on the front and back of the check.

our system notes disconnect notice sent 12-5-18

12-17-18 date



PROPERTY # 910.66
JERRY GRIBBLE
10066 LAKEVIEW COURT
WHITNEY TX 76692-5653
PH# 254-694-2355

MAINTENANCE : 1,920.00
ROAD : 67.50
FOOD & BEV : 9.00
UTILITIES : 76.61
TOTAL BALANCE 1,164.11

12/18/18	50.00
12/18/18	57.27
12/18/18	41.70

04)	12-18-18	P			499	12/24/18
	09:31AM		DISCO			
05)	12-17-18	p	lt notice sent 12-5-18 discon 12-17	cs	400	12/24/18
	09:56AM					
06)	12-11-18	p	new meter 11-14-18	cs	400	12/18/18
	08:01AM					

ENTER LN#, (C)ONTACT, (CO)ST, E(X)IT, (L)EGAL OR <RETURN> TO FILE :
LOI (I)NQ, (P)RINT, (H)IST, (CO)UNCIL DUES, (H)IGHLAND, (F)WD, (B)CK, (M)CRT



Please retain this stub for your records

Double Diamond Utilities
PO Box 4356 Dept. 1564
Houston, TX 77210-4356

Account #	Past due Amount	Late Fee Amount	Total Amount Due
910..66	72.73	7.27	80.00

JERRY GRIBBLE
10066 LAKEVIEW COURT
WHITNEY, TX 76692-5653

Date: _____
Amount: _____
Check #: _____

Past due notice for 18-10

Questions regarding this notice? Contact Double Diamond Utilities- (800) 324-7438 (8:00 am-5:00 pm CST Monday – Friday)
Visit our Web Sites – whitebluffresort.com, the cliffresort.com, theretreat-texas.com or ddresorts.com

Please make check(s) payable to:
"Double Diamond Utilities"

To avoid disconnection, payment must be received by 12-17-18
A \$50 Reconnect fee will be charged if water is disconnected

**Double Diamond Utilities
Disconnection Notice**

Please detach and enclose this portion with your payment.

Account #	Past due	Late Fee	Total Amount Due
910..66	72.73	7.27	80.00

JERRY GRIBBLE
10066 LAKEVIEW COURT
WHITNEY, TX 76692-5653

Double Diamond Utilities, Inc.
PO BOX 4356 Dept. 1564
HOUSTON, TX 77210-4356

*All correspondence and address changes must be sent to:
5495 Bellline Rd. Ste.200
Dallas, TX 75254*

000000000002375000000000000000000004

PROP ID.....	OWNER/NAME	UTILITY/AMT	LATE/FEE	ARREARS	TOTAL/BAL	SEWER RECONNECT	WATER RECONNECT	TOTAL BILLED
901..34	HENRY K. MORELAND	7.75	0.00	7.75	89.68	25.00	25.00	50.00
901..239	JESSE HOYT HILL	9.43	0.00	9.43	107.50	25.00	25.00	50.00
901..243	DAVID WALLS	9.28	0.00	9.28	110.46	25.00	25.00	50.00
901..294	254 REALTY LLC	80.83	0.00	80.88	154.87	25.00	25.00	50.00
901..392	ELIZABETH ROBINSON	3.82	0.00	3.82	30.21		25.00	25.00
901..711	STEPHEN HENDERSON	52.22	0.00	52.22	101.38		25.00	25.00
910..30	CONNIE PRUETT DRAKE	7.27	0.00	7.27	82.58	25.00	25.00	50.00
910..58	BRAD G. BLANKENSHIP	6.37	0.00	6.37	81.43	25.00	25.00	50.00
910..66	JERRY GRIBBLE	7.27	0.00	7.27	83.88	25.00	25.00	50.00
912..5	RUSSELL T. CARTER	105.97	0.00	105.97	187.49	25.00	25.00	50.00
912..31	AARON D. HENDRICKS	12.46	0.00	12.46	138.61	25.00	25.00	50.00
912..191	CLEMENT JOSEPH WOHLEB JR.	12.93	0.00	12.93	131.60	25.00	25.00	50.00
913..17	VERNON K. SOCKWELL	10.62	0.00	10.62	213.29	25.00	25.00	50.00
913..14	JULIE HATFIELD	82.46	0.00	82.46	158.47	25.00	25.00	50.00
913..83	ROSEMARY PATTERSON	9.14	0.00	9.14	90.02	25.00	25.00	50.00
913..87	KATHRYN MURPHY	11.28	0.00	11.28	128.53	25.00	25.00	50.00
915..2	SCOTT C. SHELTON	81.41	0.00	81.41	156.72	25.00	25.00	50.00
915..51	WHITE BLUFF POA - MARINA RETAI	148.57	0.00	148.57	283.42	25.00	25.00	50.00
916..102	ROBERT WOODS	11.23	0.00	11.23	116.74	25.00	25.00	50.00
917..14	TERRY SMITH	13.23	0.00	13.23	154.81	25.00	25.00	50.00
917..72	Gordon Skinner	156.14	0.00	156.14	330.71	25.00	25.00	50.00
918..40	DAVID W. BRIGGS	8.87	0.00	8.87	94.15	25.00	25.00	50.00
921..71	ROBERT SCOTT THORNTON	32.13	0.00	32.13	173.99	25.00	25.00	50.00
922..34	DONALD MOORE	107.17	0.00	107.17	204.60	25.00	25.00	50.00
923..145	BILLY D. MCDANIEL AND JOANH V. MCDANIEL JOINT LIVING TRUST	10.29	0.00	10.29	86.70	25.00	25.00	50.00
924..35	DOUGLAS C. CANNON	13.04	0.00	13.04	140.51	25.00	25.00	50.00
927..172	JHJ INVESTMENT TRUST	87.66	0.00	87.66	170.66	25.00	25.00	50.00
934..13	STEVEN RUMER	7.94	0.00	7.94	88.85	25.00	25.00	50.00
934..38	RICHARD E. RADYKOWSKI	82.36	0.00	82.36	157.27	25.00	25.00	50.00
934..64	TABER JOHNSON	7.05	0.00	7.05	86.31	25.00	25.00	50.00
959..220	MICHAEL L. VAN ZANDT	100.44	0.00	100.44	191.04	25.00	25.00	50.00
		1,295.68	0.00	1,295.68	4,234.54	725.00	775.00	1,500.00

57.27
is
what was
owed
to
get
water
turned
back
on

[495] 31 items listed out of 31 items.

DOUBLE DIAMOND UTILITY COMPANY
SERVICE CALL / COMPLAINT FORM

Date: 12-18-18 Time: 12:15 pm

Customer Name: Jerry Gribble

Address: 910. W. Le

Nature of Complaint: Cut off

Is this a Recheck? _____ If yes, how many visits? _____

Who did customer notify? _____ How? _____

Problem Found None Payment

Description of Work Performed Turned off water + sewer and lock off.

Parts Used 1- Lock

Operator Name Gerald Toedl Hours _____
Hours _____
Hours _____

Repair Problem is Complete yes Is Follow up Necessary yes

If Yes, Explain To reconnect

Service Call Date 12-18-18 Start Time _____ Finish Time _____

Responsible Party for Problem _____

If Billed to Customer Include Invoice Number _____ Amount _____

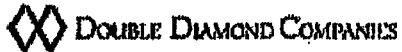
Signed by Utility Manager _____ Date _____

Rotramel, Christie

From: Rotramel, Christie
Sent: Tuesday, December 18, 2018 5:00 PM
To: Dilworth, Todd
Cc: Simpson, Alesia; Tarver, Sherrie; Gibson, Pat; Obando, Soany; Rudder, Tammy; Gracy, Randy
Subject: FW: 910..66 Gribble

Ok to turn this one on

Christie Rotramel



5495 Beltline Road, Suite 200
Dallas, TX 75254
214-706-7857 fax 214-706-7829

From: Prater, Alysia
Sent: Tuesday, December 18, 2018 4:57 PM
To: Simpson, Alesia <asimpson@ddresorts.com>
Cc: Rotramel, Christie <crotramel@ddresorts.com>
Subject: 910..66 Gribble

Payment for 910..66 has been approved and posted.

Thank you,

Alysia Prater

Accounting Clerk



5495 Beltline Road, Suite 200
Dallas, TX 75254
(214) 706-7805

DOUBLE DIAMOND UTILITY COMPANY
SERVICE CALL / COMPLAINT FORM

Date: 12-18-18 Time: 12:15 pm

Customer Name: Jerry Gribble

Address: 910. Wle

Nature of Complaint: Cut off

Is this a Recheck? _____ If yes, how many visits? _____

Who did customer notify? _____ How? _____

Problem Found None Payment

Description of Work Performed Turned off water + sewer and lock off.

Parts Used 1- Lock

Turned BACK on 12-18-18 5:50AM

Operator Name Gerald Hours _____

Toled Hours _____

Hours _____

Repair Problem is Complete yes Is Follow up Necessary yes

If Yes, Explain To reconnect

Service Call Date 12-18-18 Start Time _____ Finish Time _____

Responsible Party for Problem _____

If Billed to Customer Include Invoice Number _____ Amount _____

Signed by Utility Manager _____ Date _____

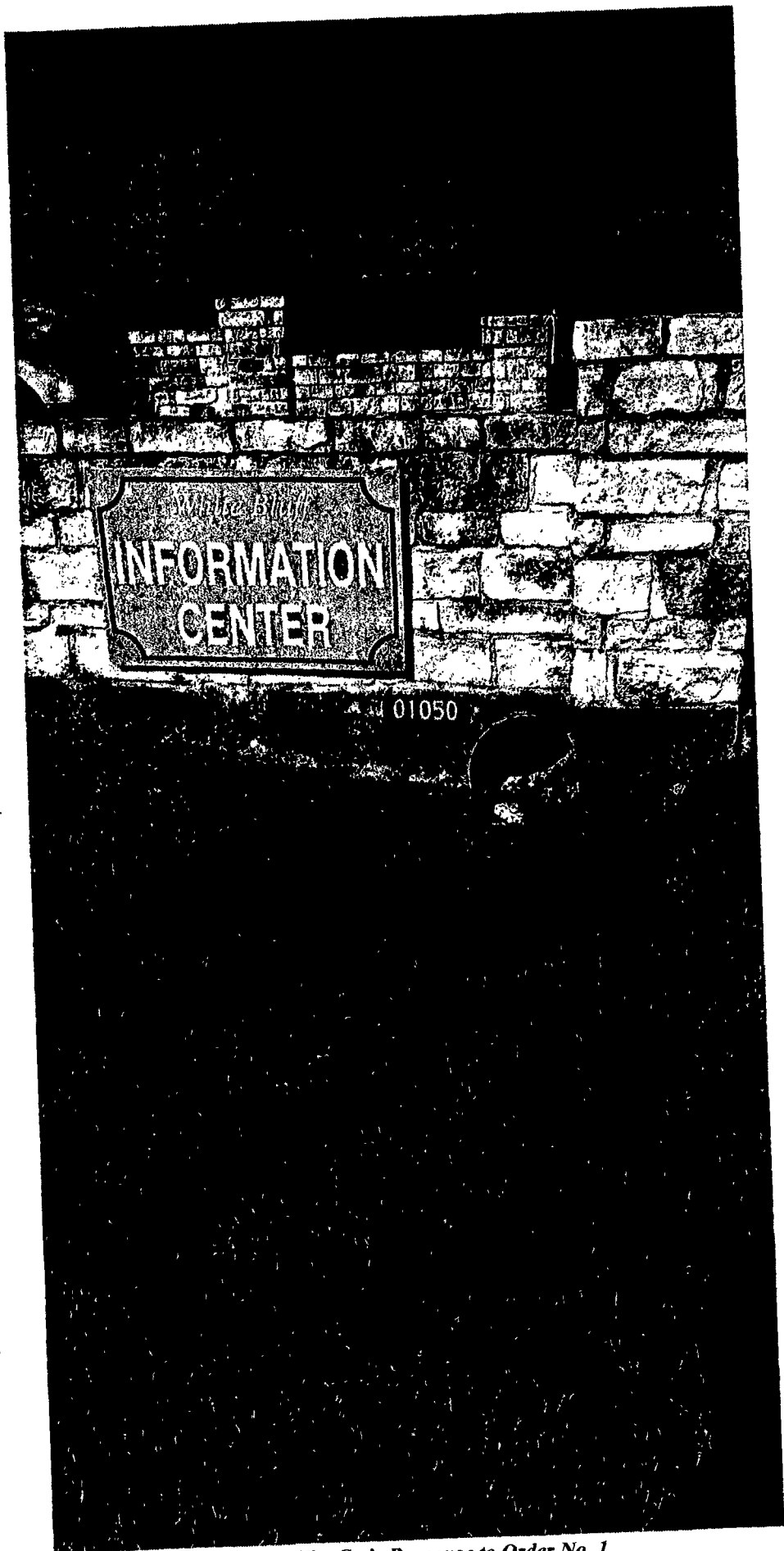
Double Diamond

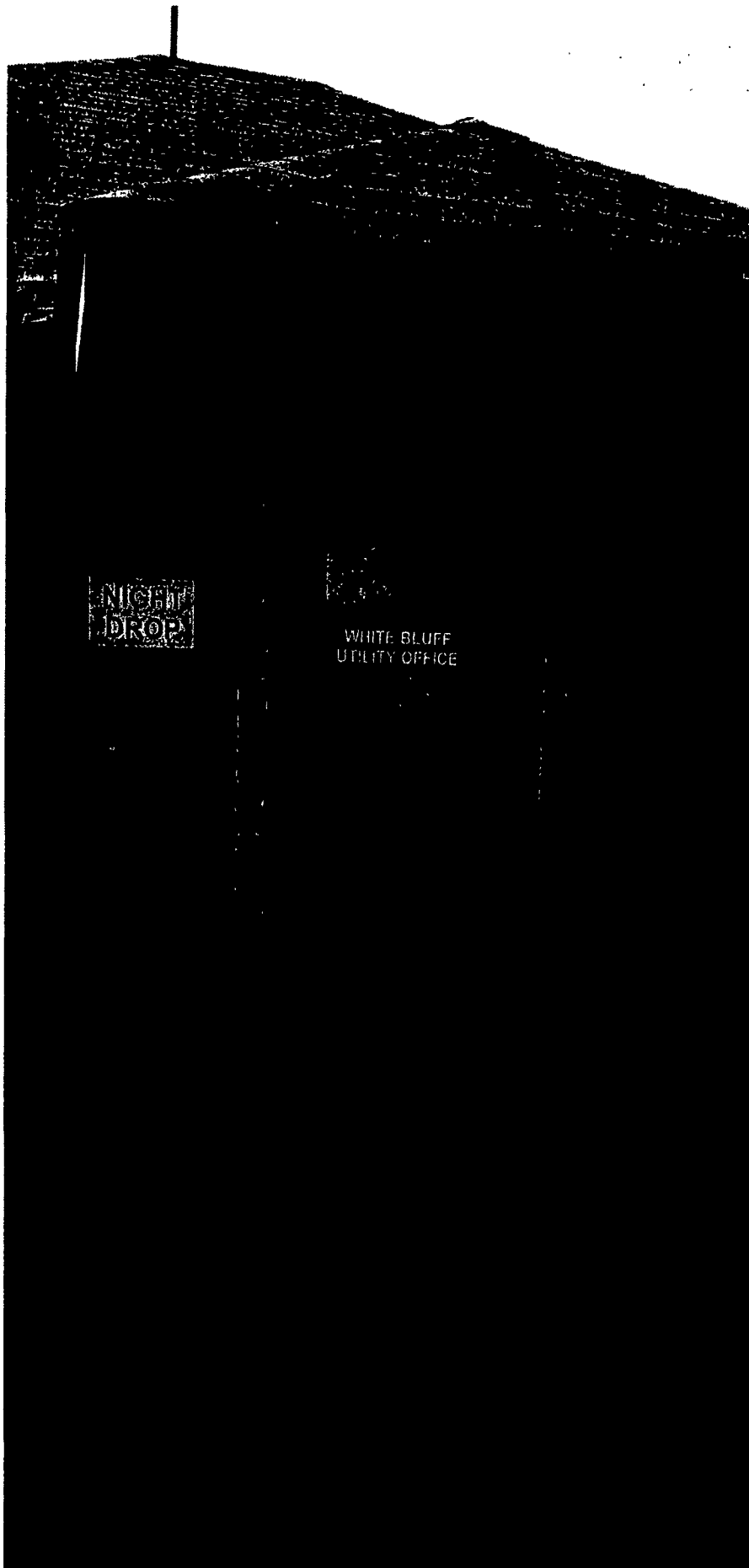
Rotramel, Christie

From: Gibson, Pat
Sent: Wednesday, December 19, 2018 3:18 PM
To: Rotramel, Christie
Cc: Gracy, Randy
Subject: 910..66 Gribble Disconnect
Attachments: ExecMFP@ddresorts.com_20181219_150505.pdf

Mr Gribble called very unhappy that we turned his water off. He said he sent a payment on the 24th which should have been plenty of time for the payment to post before the 30th. We didn't post the payment until 12-10-18. I said that it might be the mail out there that is slow but we did send him a disconnect notice. He said he never got a disconnect notice. He said if it is the mail out there he shouldn't be held responsible and he wants the \$50 reconnect that he had to pay credited back to his account. He said he has already sent in his Nov. payment also. He wanted a copy of the disconnect notice which is attached. I put that in the mail today. **He said he was hoping to get this settled without having to register a complaint with the state.**

Pat Gibson
Senior POA Administrator
214-706-7809
pgibson@ddresorts.com





Rotramel, Christie


From: Rotramel, Christie
Sent: Friday, January 11, 2019 8:12 AM
To: 'puccomplaints@puc.state.tx.us'
Cc: Gracy, Randy; Tarver, Sherrie; Dilworth, Todd
Subject: FW: [Complaint No:CP2018120657] - Jerry Gribble
Attachments: CP2018120657_CoverSheet.pdf

Good Morning,

The local office's address is 01050 White Bluff Drive. Whitney, TX 76692. Telephone number is 254-694-6484. This is approximately 2.3 miles from Mr. Gribble's house.

Thank you,

Christie Rotramel

 DOUBLE DIAMOND COMPANIES
5495 Beltline Road, Suite 200
Dallas, TX 75254
214-706-7857 fax 214-706-7829

From: Wilson, Kenneth [mailto:Kenneth.Wilson@puc.texas.gov]
Sent: Thursday, January 10, 2019 1:00 PM
To: Tarver, Sherrie <starver@ddresorts.com>
Subject: [Complaint No:CP2018120657] - Jerry Gribble

DO NOT CHANGE THE SUBJECT LINE

Reply to Email address : puccomplaints@puc.state.tx.us
Respond only to complaint: CP2018120657

Dear Double Diamond Utilities Company Inc

REQUEST:

1. Customer stated he have to drive 70 miles to a local office to pay his bill. Please provide me the location and distance of the nearest local office from the customer address.

TIME FRAME:

1. 1/11/2018 by 12:00 pm

Sincerely,

CPD

Rotramel, Christie

From: Dilworth, Todd
Sent: Tuesday, March 5, 2019 10:43 AM
To: Rotramel, Christie
Subject: Mr Gribble

The address to our office 01050 white bluff dr. Mr. Gribble has been in this office twice since we have moved to this location . once the talk the Mrs. Oliver and once to talk to me for disconnecting his meter for non payment. so he knows we have a office here on white bluff property .



WATER UTILITY TARIFF

Docket Number: 42919

*May 19, 2017
TR rate
COP
C/CP*

Double Diamond Utilities Company, Inc.
(Utility Name)

10100 N. Central Expressway, Suite 400
(Business Address)

Dallas, Texas 75231
(City, State, Zip Code)

(214) 706-9801
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

12087

This tariff is effective in the following counties:

Hill, Palo Pinto, and Johnson

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

The Cliffs (PWS #1820061), The Retreat Water Supply (PWS #1260127), and White Bluff (PWS #1090073).

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SECTION 4.0 -- DROUGHT CONTINGENCY PLAN17
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

Monthly base rate including 0 gallons

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge (Over Minimum)</u>
5/8" or 3/4"	\$36.14	\$2.60 per 1,000 gallons for 0-3,000 gallons
1"	\$90.36	\$3.00 per 1,000 gallons for 3,001-10,000 gallons
1½"	\$180.72	\$5.07 per 1,000 gallons for 10,001-15,000 gallons
2"	\$289.15	\$8.56 per 1,000 gallons for 15,001-20,000 gallons
3"	\$542.16	\$14.45 per 1,000 gallons for 20,001 and over

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE \$675.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large meter) Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Relocation Cost, Not to Exceed Tap Fee
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

METER TEST FEE \$25.00
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE (CONT.)

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00).....\$25.00
- b) Customer's request that service be disconnected\$25.00

TRANSFER FEE.....\$25.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)..... 10%

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE\$30.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)..... None

COMMERCIAL & NON-RESIDENTIAL DEPOSIT..... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING PUC Subst. R. §24.21(K)(2).

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

Monthly base rate including 0 gallons

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge (Over Minimum)</u>
5/8" or 3/4"	\$49.60	\$2.54 per 1,000 gallons 0-3,000 gallons
1"	\$124.01	\$3.50 per 1,000 gallons 3,001-10,000 gallons
1½"	\$248.02	\$4.83 per 1,000 gallons 10,001-15,000 gallons
2"	\$396.84	\$6.68 per 1,000 gallons 15,001-20,000 gallons
3"	\$744.07	\$9.22 per 1,000 gallons 20,001 and over gallons

Additional Gallonage Charge- Effective June 1, 2012:

\$0.20 / 1,000 gallons for the Prairielands Groundwater Conservation District (PGCD) Water Production Fee, for The Retreat and White Bluff customers only.

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____

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Docket No. 42919

SECTION 1.0 - RATE SCHEDULE (CONT.)

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SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

Monthly base rate including 0 gallons

Meter Size:	Monthly Minimum Charge	Gallonge Charge (Over Minimum)
5/8" or 3/4"	\$31.01	\$1.59 per 1,000 gallons for 0-3,000 gallons
1"	\$77.51	\$2.19 per 1,000 gallons for 3,001-10,000 gallons
1½"	\$155.03	\$3.02 per 1,000 gallons for 10,001-15,000 gallons
2"	\$248.04	\$4.17 per 1,000 gallons for 15,001-20,000 gallons
3"	\$465.08	\$5.76 per 1,000 gallons for 20,001 and over

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Docket No. 42919

SECTION 1.0 - RATE SCHEDULE (CONT.)

METER TEST FEE\$25.00
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REFER TO SECTION 3.0-EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

SECTION 1.0 - RATE SCHEDULE (CONT.)

NOTE:

Pursuant to PUC Substantive Rule §24.21(b)(2)(A)(viii)

“Minor Tariff Change to allow the addition of a production fee charged by a groundwater conservation district as a separate item calculated by multiplying the customer's total consumption, including the number of gallons in the base bill, if any, by the actual production fee per thousand gallons”.

SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission of Texas (PUC or Commission) Rules, Chapter 24, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or Commission approved changes to the Rules supersede any rules or requirements in this tariff.

Section 2.01 - Application for Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff), will be signed by the applicant, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the PUC Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the Commission.

Section 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

(A) Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 - Miscellaneous Fees of this tariff. The utility will keep records of the deposit and credit interest in accordance with PUC Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

(B) Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged if listed specifically in Section 1 to cover unique costs not normally incurred as permitted by §24.86(a)(1)(C). For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(C) Easement Requirement

Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the applicant's property, the Utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

Section 2.04 - Utility Response to Applications for Service

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Except for good cause where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers may be required to install and maintain a cutoff valve on their side of the meter.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

No direct connection between a public water supply system and any potential source of contamination or between a public water supply system and a private water source (ex. private well) will be allowed. A customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Commission on Environment Quality (TCEQ) Rules and Regulations for Public Water Systems, Section 290.46(j). The Utility is not required to perform these inspections for the applicant/customer, but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

Section 2.07 - Back Flow Prevention Devices

No water connection shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination by either an approved air gap, backflow prevention assembly, or other approved device. The type of device or backflow prevention assembly required shall be determined by the specific potential hazard identified in 290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems.

The use of a backflow prevention assembly at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes. When a customer service inspection certificate indicates that an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

At any residence or establishment where it has been determined by a customer service inspection, that there is no actual or potential contamination hazard, as referenced in Section 290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems, then a backflow prevention assembly or device is not required. Outside hose bibs do require, at a minimum, the installation and maintenance of a working atmospheric vacuum breaker.

All backflow prevention assemblies or devices shall be tested upon installation by a TCEQ certified backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a certified backflow prevention assembly tester.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

If the utility determines that a backflow prevention assembly or device is required, the utility will provide the customer or applicant with a list of TCEQ certified backflow prevention assembly testers. The customer will be responsible for the cost of installation and testing, if any, of backflow prevention assembly or device. The customer should contact several qualified installers to compare prices before installation. The customer must pay for any required maintenance and annual testing and must furnish a copy of the test results demonstrating that the assembly is functioning properly to the utility within 30 days after the anniversary date of the installation unless a different date is agreed upon.

Section 2.08 - Access to Customer's Premises

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.09 - Meter Requirements, Readings, and Testing

One meter is required for each residential, commercial, or industrial connection. All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers.

Meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

Meter tests. The utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

Section 2.10 - Billing

(A) Regular Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

(B) Late Fees

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

(C) Information on Bill

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

(D) Prorated Bills - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.11 - Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.12 - Service Disconnection

(A) With Notice

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

(B) Without Notice

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

Section 2.13 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 36 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

Section 2.14 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

Section 2.15 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by the Commission, the utility will maintain facilities as described in the TCEQ Rules and Regulations for Public Water Systems.

Section 2.16 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through PUC complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the Commission.

Section 2.17 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

Docket No. 42919

SECTION 3.0 -- EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

Line Extension and Construction Charges: No Contributions in Aid of Construction may be required of any customer except as provided for in the approved extension policy.

The Utility is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with PUC rules and policies, and upon extension of the Utility's certified service area boundaries by the PUC.

The applicant for service will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

Section 3.02 - Costs Utilities and Service Applicants Shall Bear

Within its certified area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision.

However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Unless an exception is granted by the PUC, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the PUC if

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

Docket No. 42919

SECTION 3.0 -- EXTENSION POLICY (Continued)

If an exception is granted, the Utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

The utility will bear the full cost of any over-sizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

Section 3.03 - Contributions in Aid of Construction

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with Texas Commission on Environment Quality minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or Texas Commission on Environment Quality minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of § 24.86(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by §24.85(e)(3), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

Docket No. 42919

SECTION 3.0 -- EXTENSION POLICY (Continued)

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- if service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utility's approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.
- For purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the Utility's business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. A diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request. The actual point of connection and meter installation must be readily accessible to Utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers.

Docket No. 42919

SECTION 3.0 -- EXTENSION POLICY (Continued)

If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the Utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The Utility shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The PUC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by PUC rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the Utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

Docket No. 42919

APPENDIX A - DROUGHT CONTINGENCY PLAN

(This page incorporates by reference the utility's Drought Contingency Plan, as approved and periodically amended by the Texas Commission on Environmental Quality.)

APPENDIX A -- SAMPLE SERVICE AGREEMENT

From 30 TAC Chapter 290.47(b), Appendix B

SERVICE AGREEMENT

I. **PURPOSE.** The NAME OF WATER SYSTEM is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the NAME OF WATER SYSTEM will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.

II. **RESTRICTIONS.** The following unacceptable practices are prohibited by State regulations.

A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

C. No connection which allows water to be returned to the public drinking water supply is permitted.

D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.

E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between the NAME OF WATER SYSTEM (the Water System) and NAME OF CUSTOMER (the Customer).

A. The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.

B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Water System's normal business hours.

C. The Water System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the

periodic reinspection.

D. The Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on his premises.

E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

IV. ENFORCEMENT. If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

CUSTOMER'S SIGNATURE: _____

DATE: _____

APPENDIX B – APPLICATION FOR SERVICE
(Utility Must Attach Blank Copy)



SEWER UTILITY TARIFF

Docket Number: 42919

Double Diamond Utilities Company, Inc.
(Utility Name)

10100 N. Central Expressway, Suite 400
(Business Address)

Dallas, Texas 75231
(City, State, Zip Code)

(214) 706-9801
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

20705

This tariff is effective in the following counties:

Grayson, Hill, Palo Pinto, and Johnson

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

- The Cliffs: WQ0002789-000
- The Retreat: WQ0014373-001
- Rock Creek: WQ0014783-001
- White Bluff: WQ0013786-002

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

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Docket No. 42919

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8" or 3/4"	<u>\$49.37</u> (3,000 gallons included)	<u>\$8.25</u> per 1,000 gallons
1"	<u>\$86.29</u>	
1½"	<u>\$147.83</u>	
2"	<u>\$221.67</u>	
3"	<u>\$393.98</u>	

Gallonge charges are determined based on average consumption for the winter months which are December, January, and February.

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE..... \$3,100.00
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL CONNECTION. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large Connection Tap)..... Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR TAP SIZE INSTALLED.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request that service be disconnected..... \$40.00

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)..... 10%
 PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

SECTION 1.0 - RATE SCHEDULE (Continued)

TRANSFER FEE.....\$40.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

RETURNED CHECK CHARGE\$20.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)..... None

COMMERCIAL & NON-RESIDENTIAL DEPOSIT ... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND TESTING 30 TAC 291.21(K)(2).

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge (Over Minimum)</u>
5/8" or 3/4"	\$67.12 (3,000 gallons included)	\$0.00 per 1,000 gallons for 0-3,000 gallons
1"	\$167.80	\$11.19 per 1,000 gallons for 3,001-12,000 gallons
1½"	\$335.59	\$0.00 per 1,000 gallons for 12,001+ gallons
2"	\$536.95	
3"	\$1,006.78	

Gallonge charges are determined based on average consumption for the winter months which are December, January, and February. The total billed sewer volume amount is capped at 12,000 gallons.

FORM OF PAYMENT: The utility will accept the following forms of payment: -

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE \$675.00
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large meter) Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Relocation Cost, Not to Exceed Tap Fee
 THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

METER TEST FEE \$25.00
 THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE (CONT.)

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request that service be disconnected..... \$25.00

TRANSFER FEE \$25.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$30.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)..... None

COMMERCIAL & NON-RESIDENTIAL DEPOSIT 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING PUC Subst. R. §24.21(K)(2).

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0—EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>
5/8" or 3/4"	<u>\$87.00</u>
1"	<u>\$217.50</u>
1½"	<u>\$435.00</u>
2"	<u>\$696.00</u>
3"	<u>\$1,035.00</u>

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT..... 1.0%
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE..... \$3,100.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL CONNECTION. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large Connection Tap)..... Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR TAP SIZE INSTALLED.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request that service be disconnected \$40.00

SECTION 1.0 - RATE SCHEDULE (CONT.)

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%
TCEQ RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT
BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE
PENALTY WAS APPLIED IN A PREVIOUS BILLING.

TRANSFER FEE \$40.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT
THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

RETURNED CHECK CHARGE \$20.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S
DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) None

COMMERCIAL & NON-RESIDENTIAL DEPOSIT ... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE
WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY
MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND
TESTING 30 TAC 291.21(K)(2).

LINE EXTENSION AND CONSTRUCTION CHARGES:
REFER TO SECTION 3.0—EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN
NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Docket No. 42919

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8" or 3/4"	\$41.00 (3,000 gallons included)	\$8.00 per 1,000 gallons
1"	\$102.50	
1½"	\$205.00	
2"	\$328.00	
3"	\$615.00	

Gallonge charges are determined based on average consumption for the winter months which are December, January, and February.

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE \$3,100
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL CONNECTION. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large Connection Tap) Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR TAP SIZE INSTALLED.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected \$40.00

SECTION 1.0 - RATE SCHEDULE (CONT.)

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%
PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

TRANSFER FEE \$40.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

RETURNED CHECK CHARGE \$20.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)..... None

COMMERCIAL & NON-RESIDENTIAL DEPOSIT ... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE
WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND TESTING 30 TAC 291.21(K)(2).

LINE EXTENSION AND CONSTRUCTION CHARGES:
REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission (PUC or Commission) Rules, Chapter 24, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or Commission approved changes to the Rules supersede any rules or requirements in this tariff.

Section 2.01 - Application for Sewer Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff), will be signed by the applicant, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the TCEQ Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the Commission.

Section 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

(A) Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 - Miscellaneous Fees of this tariff. The utility will keep records of the deposit and credit interest in accordance with PUC Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

Docket No. 42919

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged to cover unique costs not normally incurred as permitted by 16 TAC §24.86(a)(1)(C) if they are listed on this approved tariff. For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(B) Easement Requirement

Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the applicant's property, the Utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

Section 2.04 - Utility Response to Applications for Service

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap and utility cut-off and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Except for good cause where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the tap location to the place of consumption. Customers will not be allowed to use the utility's cutoff.

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SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

2.06 Access to Customer's Premises

All customers or service applicants shall provide access to utility cutoffs at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.07 - Back Flow Prevention Devices

No water connection shall be made to any establishment where an actual or potential contamination or system hazard exists without an approved air gap or mechanical backflow prevention assembly. The air gap or backflow prevention assembly shall be installed in accordance with the American Water Works Association (AWWA) standards C510, C511 and AWWA Manual M14 or the University of Southern California Manual of Cross-Connection Control, current edition. The backflow assembly installation by a licensed plumber shall occur at the customer's expense.

The back flow assembly shall be tested upon installation by a recognized prevention assembly tester and certified to be operating within specifications. Back flow prevention assemblies which are installed to provide protection against high health hazards must be tested and certified to be operating within specifications at least annually by a recognized back flow prevention device tester. The maintenance and testing of the back flow assembly shall occur at the customer's expense.

Section 2.10 - Billing

(A) Regular Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

(B) Late Fees

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

(C) Information on Bill

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

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SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

(D) Prorated Bills

If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.11- Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.12 - Service Disconnection

(A) With Notice

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

(B) Without Notice

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

Section 2.13 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 24 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

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SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

Section 2.14 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Section 2.15 - Quality of Service

The utility will plan, furnish, and maintain and operate production, treatment, storage, transmission, and collection facilities of sufficient size and capacity to provide continuous and adequate service for all reasonable consumer uses and to treat sewage and discharge effluent of the quality required by its discharge permit issued by the Commission. Unless otherwise authorized by the Commission, the utility will maintain facilities as described in the PUC Rules.

Section 2.16 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the PUC complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

Section 2.17 - Customer Liability

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the Commission.

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

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SECTION 3.0 -- EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

Line Extension and Construction Charges. No contribution in aid of construction may be required of any customer except as provided for in this approved extension policy.

The Utility is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with PUC rules and policies, and upon extension of the Utility's certified service area boundaries by the PUC.

The applicant for service will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The Utility is not required to extend service to any applicant outside of its certificated service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with PUC rules and policies, and upon extension of the Utility's certificated service area boundaries by the PUC.

Section 3.02 - Costs Utilities and Service Applicants Shall Bear

Within its certified area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision.

However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest collection line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer maybe charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Unless an exception is granted by the PUC, the residential service applicant shall not be required to pay for costs of main extensions greater than 6" in diameter for wastewater lines.

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SECTION 3.0 -- EXTENSION POLICY (Continued)

Exceptions may be granted by the PUC if:

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service; or
- larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

If an exception is granted, the Utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial, and wholesale customers shall be treated as developers.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

The utility will bear the full cost of any over-sizing of sewer mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional treatment facilities. Contributions in aid of construction of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with Texas Commission on Environmental Quality (TCEQ) minimum design criteria for facilities used in the production, collection, transmission, pumping, or treatment of sewage or TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

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SECTION 3.0 -- EXTENSION POLICY (Continued)

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 16 TAC § 24.86(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by 16 TAC § 24.85(e)(3), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- If service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utility's approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.

For purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant.

Service application forms will be available at the Utility's business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

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SECTION 3.0 -- EXTENSION POLICY (Continued)

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. A diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request. The actual point of connection and meter installation must be readily accessible to Utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers. If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements for service contained in this tariff, TCEQ rules and/or TCEQ order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the Utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The Utility shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by TCEQ rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The TCEQ service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by TCEQ rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the Utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

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APPENDIX A -- SAMPLE SERVICE AGREEMENT
SERVICE AGREEMENT

- I. **PURPOSE.** The NAME OF SEWER SYSTEM is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the NAME OF SEWER SYSTEM will begin service. In addition, when service to an existing connection has been suspended or terminated, the sewer system will not re-establish service unless it has a signed copy of this agreement.

- II. **RESTRICTIONS.** The following unacceptable practices are prohibited by State regulations.
 - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

 - C. No connection which allows water to be returned to the public drinking water supply is permitted.

 - D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.

 - E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between the NAME OF SEWER SYSTEM (the Sewer System) and NAME OF CUSTOMER (the Customer).
 - A. The Sewer System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Sewer System.

 - B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Sewer System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Sewer System's normal business hours.

- C. The Sewer System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on his premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Sewer System. Copies of all testing and maintenance records shall be provided to the Sewer System.

IV. ENFORCEMENT. If the Customer fails to comply with the terms of the Service Agreement, the Sewer System shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

CUSTOMER'S SIGNATURE: _____

DATE: _____

APPENDIX B -- APPLICATION FOR SERVICE
(Utility Must Attach Blank Copy)